

A NEW DECLARATION

Of the Lords and Commons in Parliament, Concerning
the execution of the *Militia*, 20. June, 1642.

As also concerning a Writ sent to the High Sheriffe of *Essex*,
by his Majestie for the publishing of his late Proclama-
tion to forbid all his loving Subjects to Raise, March, Muster, or ex-
ercise by vertue of any Order or Ordinance of both Houses
of PARLIAMENT.

Ordered by the Lords and Commons, that this be forthwith Printed.

H. Elsyng Cler. Par. D. Com.

WHereas *Robert Smith* Esquire, now high Sheriffe of the County of
Essex, hath lately received a Writ bearing date the twenty seventh
day of *May*, in the eighteenth yeere of his now Majesties reigne,
thereby commanding him to publish a Proclamation, whereby all
his Majesties Subjects belonging to the Trained Bands or Militia
of this Kingdome, are forbidden to raise, March, Muster, or exer-
cise by vertue of any Order or Ordinance, of one or both Houses of Parliament,
without consent or warrant from his Majestie upon paine of punishment according
to the Lawes. And whereas the said high Sheriffe hath now addressed himselfe to
both Houses of Parliament, for advice and directions therein concerning the said
Proclamation to be contrariant and repugnant to the Oedinance and Judgement of
both Houses of Parliament concerning the Militia.

It is therefore Declared by the Lords and Commons in Parliament (they inten-
ding nothing by the said Ordinance, but the protection and security of his Majesties
person the defence of the Kingdome against Forraigne invasion, and preservation of
the publike peace against intestine Rebellions and Insurrections here at home, the
maintenance of the Priviledges and Authority of Parliament according to the Pro-
testation.

That the said Writ is illegall for that the constitution and policy of this Kingdome,
and the King by his Proclamation cannot declare the Law contrary to the resolution
of any of the inferiour Courts of Justice, much lesse against the high Court of Par-
liament. And likewise for that this Writ forbiddeth that to be done which they are ob-
liged unto by their duty to God, their alleagiance to his Majesty, and the trust reposed
in them by the Common wealth, (the Law having intrusted them to provide for the
good and safety thereof.) And that the said high Sheriffe hath done nothing in forbea-
ring to publish the said Proclamation, but according to his duty, and in obedience to
the Order of both Houses. And he is hereby required not to publish the said Procla-
mation, or any other Proclamations or Declarations of the like nature, that concerne
the Parliament, without first acquainting the said Houses.

And it is further declared that the said high Sheriffe and other Sheriffes of other
Counties within this Kingdome of *England*, and the Dominion of *Wales*, for their
obedience to the Orders and Ordinances of Parliament; Or that have, or here-
after shall doe any thing in the execution thereof, shall be protected by the power and
authority of both the said Houses.

London Printed for *Thomas Androes*, 1642.

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It is therefore Declared by the Lords and Commons in Parliament (they intending nothing by the said Ordinance, but the protection and security of his Majesties person the defence of the Kingdome against Forraigne invasion, and preservation of the publike peace against intestine Rebellions and Insurrections here at home, the maintenance of the Priviledges and Authority of Parliament according to the Protection.

That the said Writ is illegall for that the constitution and policy of this Kingdome, and the King by his Proclamation cannot declare the Law contrary to the resolution of any of the inferiour Courts of Justice, much lesse against the high Court of Parliament. And likewise for that this Writ forbiddeth that to be done which they are obliged unto by their duty to God, their alleagiance to his Majesty, and the trust reposed in them by the Common-wealth, (the Law having intrusted them to provide for the good and safety thereof.) And that the said high Sheriffe hath done nothing in forbearing to publish the said Proclamation, but according to his duty, and in obedience to the Order of both Houses. And he is hereby required not to publish the said Proclamation, or any other Proclamations or Declarations of the like nature, that concerne the Parliament, without first acquainting the said Houses.

And it is further declared that the said high Sheriffe and other Sheriffes of other Counties within this Kingdome of *England*, and the Dominion of *Wales*, for their obedience to the Orders and Ordinances of Parliament; Or that have, or hereafter shall doe any thing in the execution thereof, shall be protected by the power and authority of both the said Houses.

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